



DAC \$
#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 22 2003

OFFICE OF PETITIONS

IN RE THE APPLICATION OF)

Examiner: Scott M. Getzow)

Eleanor L. Schuler, et. al.)

Group Art Unit: 3762)

SERIAL NO.: 10/085,386)

FILED: February 28, 2002)

FOR: Electrical Method To Control Autonomic)
Nerve Stimulation of Gastrointestinal Tract)

Docket No.: 920607-906872)

) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Alexandria, VA 22313-1450, on July 15, 2003.

Name of person signing Jamie L. Mueller

Signature: 

**PETITION TO REVIVE ABANDONED PATENT APPLICATION UNDER FOR
FAILURE TO NOTIFY OFFICE OF FOREIGN FILING**

Attention: Office of Petitions
Mail Stop Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified was filed initially with a request for nonpublication because there was no intention at that time to file an application for the subject matter of the invention in a foreign country or under a multinational treaty which requires publication of the application eighteen months after the filing.

On February 25, 2003, an application for the subject matter of this invention was filed under the international phase of Patent Cooperation Treaty with the United States Patent and Trademark Office. On May 29, 2003, Applicant filed a Notice of Foreign or International Filing with the Request to Rescind Previous Nonpublication Request. Since the filing of the Request to Rescind and the Notice of International Filing occurred later than forty-five days after the filing, the above-identified application became abandoned pursuant to 35 U.S.C. §122(b)(2)(B)(iii) for

07/22/2003 AWONDAF1 00000035 10085386

01 FC:2453

650.00 OP

failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing.

Applicant hereby petitions for revival of this application under 37 C.F.R §1.137(f).

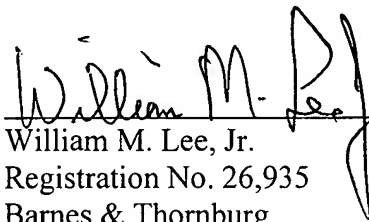
Applicant declares that the entire delay in filing the required notice of a foreign filing or international filing from the due date for the required notice until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional. In fact, when this error was realized, the applicants immediately commenced to make a wholesale correction in this and four other PCT applications for the same client. All corrections were made well prior to the entry into the national phase.

There are no other outstanding matters for this application.

A check in the amount of \$650.00 is enclosed for the petition fee under 37 C.F.R. §1.17(m). Charge any additional fees required or credit any overpayment to Deposit Account No. 12-0913.

Respectfully submitted,

Date: July 15, 2003



William M. Lee, Jr.
Registration No. 26,935
Barnes & Thornburg
P.O. Box 2786
Chicago, Illinois 60690-2786
Phone: 312-357-1313
Facsimile: 312-759-5646